

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE FAIRFIELD SENTRY LIMITED,
Debtor.

: **SUMMARY ORDER**
: **REMANDING CASE TO**
: **BANKRUPTCY COURT**
:
: 13 Civ. 1524 (AKH)
:

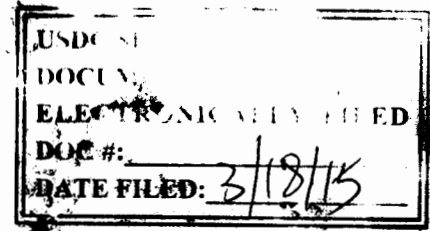
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KENNETH KRYSS,

Appellant,

-against-

FARNUM PLACE, LLC,

Appellee.
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ALVIN K. HELLERSTEIN, U.S.D.J.:

By mandate issued January 28, 2015, the Court of Appeals vacated this Court's Order dated July 3, 2013 affirming the bankruptcy court's order denying appellant Kenneth Kryss' application for section 363 review, and remanded with instructions to further remand to the bankruptcy court. *See In re Fairfield Sentry Ltd.*, 768 F.3d 239 (2d Cir. 2014). The Court of Appeals held that the sale of the SIPA Claim is a "transfer of an interest of the debtor in property that is within the territorial jurisdiction of the United States" under 11 U.S.C. § 1520(a)(2) and is therefore subject to review under 11 U.S.C. § 363. The case is hereby remanded to the bankruptcy court to conduct a section 363 review consistent with the Court of Appeals' decision. The Clerk shall mark the case closed.

SO ORDERED.

Dated: New York, New York
March 18, 2015

A handwritten signature in black ink, appearing to read "Alvin K. Hellerstein".

ALVIN K. HELLERSTEIN
United States District Judge